

MILPERSMAN 1920-200

RESIGNATION OF AN OFFICER

Responsible Office	NAVPERSCOM (PERS-834C)	Phone :	DSN COM FAX	882-3197 (901)874-3197 882-2621
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Governing Directives	SECNAVINST 1920.6A NAVPERS 15559, Officer Transfer Manual, Chapter 5
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1. **Policy.** Officers of the Regular Navy and Naval Reserve retain their commissions at the pleasure of the President and no terminal dates are established for their commissions. The Secretary of the Navy (SECNAV), by virtue of his authority to act for the President, prescribes criteria for the voluntary termination of an officer's status.

2. **Policy Guidance.** The policy of SECNAV concerning resignation of an officer of the Regular Navy or in the Naval Reserve on active duty is set forth in SECNAVINST 1920.6A.

3. **Naval Reserve Officers on Active Duty.** Naval Reserve officers on active duty who have not completed their total military service obligation or who desire to retain their commission on inactive duty should request release from active duty (RAD) as detailed in MILPERSMAN 1920-090.

4. **Resignation of a Naval Reserve Officer Not on Active Duty.** The resignation of a Naval Reserve officer not on active duty may be accepted by SECNAV under this Manual concerning separation of Naval Reserve officers on inactive duty.

5. **Officer Submitting a Resignation Request in Lieu of Administrative Separation.** An officer being allowed to submit a resignation request in lieu of processing for administrative separation shall address their resignation to SECNAV via the

commanding officer, the convening authority when applicable, and the Navy Personnel Command (NAVPERSCOM) (PERS-834).

6. **Requests for Unqualified Resignations**

a. Requests for unqualified resignations shall be addressed to SECNAV via the commanding officer and NAVPERSCOM (PERS-834F), with a copy to (not via) each level of the administrative chain of command through the Fleet commander (PAC or LANT) of the unit to which the officer is assigned. Letters of resignation should be submitted to reach NAVPERSCOM at least 9 months but not more than 12 months in advance of the desired detachment month. A resignation request is subject to being returned without action if the officer does not comply with the 9 to 12 months submission time frame specified above.

b. If the resignation is delayed in reaching NAVPERSCOM through no fault of the officer concerned, a constructive receipt date that is 21 days following the date of the officer's resignation request will be assigned. The resignation month must be carefully selected and consideration should be given to any separation leave desired by the officer. Approval of a resignation does not constitute approval of separation leave, which remains a command-level decision. Extensions of the resignation month will not be approved to accommodate separation leave and are further discussed elsewhere in this article. Should the officer require separation orders more than 3 months in advance of the desired detachment month, the resignation should be submitted as early as possible with the 9 to 12 month submission time frame.

7. **Approval Considerations.** Action on any resignation submitted under the above provisions will be governed by the needs of the service, including availability of a qualified relief. Favorable consideration normally will be given to an officer who will not have active-duty obligated service remaining in the requested detachment date. Waivers of obligated service, tour lengths, incentive pay and bonus contracts, or other service obligations will not be approved unless a bona fide hardship exists.

8. **Approval Requirements**. Approval of resignation will normally be withheld until the officer has completed the following:

a. Two years upon arriving at a new duty station, with the following exceptions:

(1) DOD area tour if assigned overseas. (For this purpose, Alaska and Hawaii are considered to be outside the continental United States).

(2) One year if reassigned to the continental United States (CONUS) from overseas.

(3) One year for members assigned to CONUS sea duty who will not commit to extend or incur an active duty service obligation.

b. The applicable tour as prescribed above when a resignation is received by NAVPERSCOM following the date of issuance or notification of orders. Such issuance or notification of orders must be within 6 months of the first day of the month of an officer's projected rotation date (PRD) and may be accomplished by official letter, message, or telephone.

c. Two years active duty following a reserve officer's acceptance of a transfer to the Regular Navy; or,

d. Obligated service incurred as a result of lateral transfer between competitive categories or designators; entering an education or training program (i.e., postgraduate, tuition assistance, law, medical, flight); or receiving an incentive pay, continuation pay, or bonus.

9. **Officers Unable to Tender a Resignation Prior to Becoming Eligible for Reassignment**

a. In some instances, due to the notification time limits described above, officers desiring to resign may be prohibited from tendering a resignation prior to becoming eligible for reassignment. This situation may apply to:

(1) officers serving their period of minimum active duty service requirement (MSR), or

(2) officers who are beyond their MSR and have incurred an additional active duty service obligation through programs such as incentive or special pay and bonuses, transfer to the Regular Navy, or advanced training and education.

b. To prevent this situation from occurring, officers may notify NAVPERSCOM (PERS-834F) by official letter of the intent to resign at the expiration of the service obligation. This letter of intent must reach NAVPERSCOM (PERS-834F) no less than 6 months prior to the first day of the month of an officer's PRD. The actual resignation request must then be submitted within the specified timeframes.

10. **Commanding Officer's Endorsement**

a. The following outlines the minimum and mandatory inclusions required for a properly drafted Command Endorsement Letter:

(1) Commanding officers must forward the resignation request by endorsement within 10 days and must certify that the information provided in the officer's resignation letter is correct.

(2) The commanding officer's endorsement shall comment on the circumstances of all resignations submitted by officers within his/her command.

(3) The commanding officer's endorsement must contain an assessment of the need for a qualified relief, whether an appointment in the Naval Reserve is recommended, whether the billet can be gapped, and if so, the maximum acceptable duration.

(4) The commanding officer's endorsement shall address any requirement for the officer to receive separation orders more than 3 months in advance of the desired detachment date (household goods, shipment, separation leave, deployment, etc.).

(5) Recommended: The commanding officer should summarize the officer's professional performance, perceptions of

the reasons the officer cites for leaving the Navy, and a recommended disposition of the request.

b. All information concerning an officer's resignation must be provided to NAVPERSCOM and Secretary of the Navy so that appropriate recommendations and final action may be taken. This information is very useful to each level of the chain of command in formulating officer retention initiatives. The commanding officer should summarize the officer's professional performance, perceptions of the reasons the officer cites for leaving the Navy, and a recommended disposition of the request.

11. **Request for Withdrawal of Resignation.** A request for resignation has no effect until approved by SECNAV. Once approved, any subsequent withdrawal request may be denied. The commanding officer shall notify NAVPERSCOM (PERS-834F) by message upon receipt of an officer's withdrawal request and forward the request with endorsement within 10 working days. All withdrawal requests will be considered on a case-by-case basis with needs of the service as the determining factor.

12. **Expungement of Resignation from Officer's Record.** When submitting a request to SECNAV for withdrawal of a resignation, or at any time later, an officer may specifically request that the resignation letter and related correspondence be expunged from their official record, provided the request for withdrawal is approved. Letters of intent to resign, disapproved resignations, or other resignation-related correspondence approved for removal from the records, except fitness reports, may be expunged at any time. Requests for removal of such matters should be sent to NAVPERSCOM (PERS-313D), Military Records Control Branch.

13. **Requests for Extension.** Extension requests to remain on active duty and change the detachment month will be governed by the needs of the service. Such requests will not normally be approved for less than 3 months nor greater than 6 months unless a bona fide, documented, hardship exists, or operational commitments necessitate an extension. Any combination of extension requests resulting in a detachment month greater than 6 months from the original resignation month will normally be denied. Any requests for detachment earlier than originally requested in the resignation letter or earlier than approved in

the NAVPERSCOM (PERS-834F) notification letter will not normally be approved. Commanding officers shall notify NAVPERSCOM (PERS-834F) via message when an officer requests an extension or change in detachment month and forward the request with endorsement within 10 days.

14. **Resignation Requests for Humanitarian Reasons or For Hardship.** Resignation requests submitted for Humanitarian Reasons or Hardship must be in compliance with MILPERSMAN 1920-190 and 1920-200. Requests must contain certain criteria and provide specific documentation as enclosures under NAVPERS 15559, Chapter 5. RAD requests must be in compliance with MILPERSMAN 1920-090 and NAVPERS 15559 and forwarded to the appropriate assignment division within NAVPERSCOM (PERS-4).

15. **Officers Who Have Resigned their Commissions and Returned to Extended Active Duty**

a. Those officers who have voluntarily resigned their commissions from the naval service and who return to extended (recall) active duty may request expungement of resignation-related material that contains reasons for resignation which might prejudice success after return to active duty or consideration for promotion. Applicable portions of the resignation letter or letter of intent to resign may be expunged at any time after the officer has returned to active duty. The resignation letter will not be removed in its entirety, as the request for voluntary resignation is considered relevant to an officer's record. Separation orders and fitness reports will not be expunged.

b. Requests for removal of such matters should be sent to NAVPERSCOM (PERS-834F), Officer Resignations Section, which will prepare the appropriate record changes and submit the changes to NAVPERSCOM (PERS-313D) for action.
